



DEPARTMENT OF TRANSPORTATION

4910-EX-P]

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2018-0073]

Agency Information Collection Activities; Revision of a Currently-Approved Information Collection Request: Annual Report of Class I and Class II Motor Carriers of Property

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FMCSA announces its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for its review and approval and invites public comment. The FMCSA requests approval to revise and extend the “Annual Report of Class I and Class II Motor Carriers of Property” ICR, OMB Control No. 2126-0032. This ICR is necessary to ensure that motor carriers comply with FMCSA’s financial and operating statistics requirements at chapter III of title 49 CFR part 369 titled “Reports of Motor Carriers.” This ICR is being revised to incorporate the OMB approved “Annual Report of Class I Motor Carriers of Passengers” ICR, OMB Control No. 2126-0031, for use of the MP-1 form, the “Annual Report Form (Motor Carriers of Passengers),” which resulted in only two respondents and one burden hour per year. Through the proposed merger of the two ICRs, FMCSA would rename the 2126-0032 ICR as the “Annual Report of Class I and Class II For-Hire Motor Carriers” ICR. And such a merger with the new title will clarify that the combined ICR addresses both for-hire property and passenger carriers, but not private motor carriers. Additionally, after the merger of the ICRs, FMCSA intends to request withdrawal of the previously

approved “Annual Report of Class I Motor Carriers of Passengers” ICR, OMB Control No. 2126-0031.

DATES: We must receive your comments on or before [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: You may submit comments bearing the Federal Docket Management System (FDMS) Docket Number FMCSA-2018-0073 by using any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax:* 1-202-493-2251.
- *Mail:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building, Ground Floor, Room W12-140, 20590-0001.
- *Hand Delivery or Courier:* West Building, Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m. e.t., Monday through Friday, except Federal holidays.

Instructions: All submissions must include the Agency name and docket number. For detailed instructions on submitting comments, see the Public Participation heading below. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading below.

Docket: For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>, and follow the online instructions for accessing the dockets, or go to the street address listed above.

Privacy Act: Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement for the Federal Docket Management System published in the Federal Register on January 17, 2008 (73 FR 3316), or you may visit <http://edocket.access.gpo.gov/2008/pdfE8-794.pdf>.

Public Participation: The Federal eRulemaking Portal is available 24 hours each day, 365 days each year. You can obtain electronic submission and retrieval help and guidelines under the “help” section of the Federal eRulemaking Portal Web site. If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard, or print the acknowledgement page that appears after submitting comments online. Comments received after the comment closing date will be included in the docket and will be considered to the extent practicable.

FOR FURTHER INFORMATION CONTACT: Mr. Jeff Secrist, Office of Registration and Safety Information, Department of Transportation, Federal Motor Carrier Safety Administration, West Building 6th Floor, 1200 New Jersey Avenue, SE., Washington, DC 20590-0001. Telephone: 202-385-2367; e-mail jeff.secrist@dot.gov.

SUPPLEMENTARY INFORMATION:

Background: 49 U.S.C. 14123 requires certain for-hire motor carriers of property, passengers, and household goods to file annual financial reports. The annual reporting

program was implemented on December 24, 1938 (3 FR 3158), and it was subsequently transferred from the Interstate Commerce Commission (ICC) to the U.S. Department of Transportation's (DOT) Bureau of Transportation Statistics (BTS) on January 1, 1996. The Secretary of DOT delegated to BTS the responsibility for the program on December 17, 1996 (61 FR 68162). Responsibility for collection of the reports was transferred from BTS to FMCSA on August 17, 2004 (69 FR 51009), and the regulations were redesignated as 49 CFR part 369 on August 10, 2006 (71 FR 45740). Annual financial reports are filed on Form M (for-hire property carriers, including household goods carriers) and Form MP-1 (for-hire passenger carriers). On December 17, 2013, FMCSA eliminated a quarterly financial reporting requirement for certain for-hire motor carriers of property (former form QFR) and for-hire motor carriers of passengers (former Form MP-1) (78 FR 76241).

FMCSA has continued to collect carriers' annual reports and to furnish copies of the reports requested under the Freedom of Information Act. For-hire motor carriers (including interstate and intrastate) subject to the Federal Motor Carrier Safety Regulations are classified on the basis of their gross carrier operating revenues.¹

Under the Financial and Operating Statistics (F&OS) program, FMCSA collects from Class I and Class II for-hire motor carriers their balance sheet and income statement data along with information on safety needs, tonnage, mileage, employees, transportation equipment, and other related data. FMCSA may also ask carriers to respond to surveys

¹ For purposes of the Financial and Operating Statistics (F&OS) program, carriers are classified into the following two groups: (1) Class I carriers are those having annual carrier operating revenues (including interstate and intrastate) of \$10 million or more after applying the revenue deflator formula as set forth in Note A of 49 CFR § 369.2; and (2) Class II carriers are those having annual carrier operating revenues (including interstate and intrastate) of at least \$3 million, but less than \$10 million after applying the revenue deflator formula as set forth in 49 CFR § 369.2.

concerning their operations. The data and information collected would be made publicly available and used by FMCSA to determine a motor carrier's compliance with the F&OS program requirements prescribed at 49 CFR part 369. FMCSA has created electronic forms that may be prepared, signed electronically, and submitted to FMCSA via <https://ask.fmcsa.dot.gov/app/ask/> in accordance with the Agency's April 28, 2014 (79 FR 23306), rulemaking proposal in RIN 2126-AB47, Electronic Signatures and Documents.

Title: Annual Report of Class I and Class II For-Hire Motor Carriers.

OMB Control Number: 2126-0032.

Type of Request: Revision and extension of a currently-approved information collection.

Respondents: Class I and Class II Motor Carriers of Property, Passengers, and Household Goods.

Estimated Number of Respondents: 98 [96 Class I and Class II motor carriers of property (Form M) + 2 Class I motor carriers of passengers (Form MP-1)].

Estimated Time per Response: Varies [9 hours (Form M); 18 minutes (Form MP-1)].

Expiration Date: December 31, 2018.

Frequency of Response: Annually.

Estimated Total Annual Burden: 865 hours [96 respondents \times 9 hours to complete form M-1 + 2 respondents \times 0.3 = 0.6 rounded to 1 hour to complete form MP-1].

PUBLIC COMMENTS INVITED: You are asked to comment on any aspect of this information collection, including: (1) whether the proposed collection is necessary for the agency to perform its mission; (2) the accuracy of the estimated burden; (3) ways for FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize or include your comments in the request for OMB's clearance of this information collection.

Issued on: April 18, 2018.

G. Kelly Regal,
Associate Administrator for Office of
Research and Information Technology.

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